Amendments to the Drawings:

The attached drawing sheets include changes to Figures 1 and 2. The attached drawing sheets replace the original sheets including Figures 1 and 2. In Figure 1, a new element 39 labeled "information collector" has been added. In Figure 2, element 204 in the flow chart has been amended to read, "determine probe locations by eliminating potential probe locations that produce redundant information."

Attachment: Two Replacement Sheets

REMARKS

Claims 1-45 were pending in this application before submission of this paper. Claims 1-45 were rejected. Claims 1, 6, 12, 16, 21, 27, 29, 31, 36 and 42 are amended. Claims 2, 3, 17, 18, 32 and 33 are cancelled. No new matter has been added. Claims 1, 4, 5, 7-17, 19-31 and 34-45 are currently pending in this application. In view of the amendments and the following remarks, reconsideration and allowance of all pending claims are respectfully requested.

Objection to the Drawings

The Office Action objected to Figure 1 because only that which is old is illustrated. Applicant has provided a replacement sheet for Figure 1 that includes a new element labeled "information collector." Applicant has also amended the specification to read, "An information collector 139, which is described in detail below with reference to FIGURES 2-5, is implemented within application programs 136."

The Office Action further objected to the drawings for not showing every feature specified in the claims because the elimination of redundant probes was not shown in the figures. Applicant has amended Figure 2 such that the elimination of redundant probes is shown in the drawings. Specifically, element 204 in the flow chart has been amended to read, "determine probe locations by eliminating potential probe locations that produce redundant information." Applicant respectfully submits that the objection to the drawings is overcome and requests that the objection be withdrawn.

Rejection of Claims 1-45 under 35 U.S.C. § 103(a)

Claims 1-3, 10-12, 16-18, 25-27, 31-33 and 40-42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,314,558 issued to *Angel* in view of U.S. Patent No. 6,397,380 issued to *Bittner* and further in view of "Compilers: Principles, Techniques, and Tools" by *Aho*. Claims 4, 6, 19, 21, 34 and 36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Angel*, *Bittner*, and *Aho* in view of U.S. Patent No. 6,332,213 issued to *Grossman*. Claims 5, 7, 13, 14, 20, 22, 28, 29, 35, 37, 43 and 44 are rejected under 35 U.S.C. §

103(a) as being unpatentable over *Angel, Bittner, Aho* and *Grossman* in view of U.S. Patent No. 6,282,701 issued to *Whygodny*, U.S. Patent No. 6,438,512 issued to *Miller*, and U.S. Patent No. 6,374,369 issued to *O'Donnell*. Claims 8, 23 and 38 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Angel, Bittner* and *Aho* in view of U.S. Patent No. 5,761,513 issued to *Yellin*. Claims 9, 15, 24, 30, 39 and 45 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Angel, Bittner, Aho* and *Yellin* and further in view of *Whygodny, Miller*, and *O'Donnell*. Applicant respectfully traverses this rejection. Neither *Angel, Bittner, Aho, Grossman, Yellin, Whygodny, Miller, O'Donnell*, nor any combination thereof, teach all of the features recited in Applicant's claims as amended.

The Office Action rejected independent Claim 1 by citing a procedure described in *Angel* for instrumenting a byte code computer program, a procedure described in *Bittner* for eliminating redundant calculations, and a procedure in *Aho* for code optimization. Claim 1 teaches "determining a set of probe locations in the application, wherein the set of probe locations comprises a probe location pair that produces redundant information; eliminating one member of the probe location pair, wherein the probe location pair comprises one of the following pairs: a call to function probe location in a calling function and an enter function probe location in a called function, and a return from function probe location in the calling function and an exit function probe location in the called function; and inserting probes at the remaining probe locations in the application such that data collected relating to the execution of the application produces non-redundant information." The method taught by Claim 1 is different from the procedures in *Angel, Bittner* and *Aho* cited by the Office Action.

The procedure in *Angel* is directed to examining byte code, selecting portions of the byte code for instrumentation, and instrumenting the portions to provide instrumented byte code. The procedure in *Bittner* is directed to the elimination of redundant calculations while the target program is being compiled such that no mathematical expression along any path in the target program is evaluated more than once. The procedure in *Aho* is directed to optimizing code outside of a compiler. However, neither *Angel, Bittner, Aho* nor any combination thereof teach anything about "determining a set of probe locations in the application, wherein the set of probe locations comprises a probe location pair that produces redundant information; eliminating one

member of the probe location pair, wherein the probe location pair comprises one of the following pairs: a call to function probe location in a calling function and an enter function probe location in a called function, and a return from function probe location in the calling function and an exit function probe location in the called function; and inserting probes at the remaining probe locations in the application such that data collected relating to the execution of the application produces non-redundant information,"as recited in Applicant's amended Claim 1. Applicant respectfully submits that the rejection of Claim 1 is overcome and requests that the rejection be withdrawn.

Claims 12, 16, 27, 31 and 42, include limitations substantially similar (albeit different in other important ways) to the limitations claimed in the currently amended Claim 1. As discussed above, Claim 1 is allowable. Thus, Claims 12, 16, 27, 31 and 42 are allowable for at least the same reasons that Claim 1 is allowable, and notice to that effect is solicited.

Furthermore, dependent Claims 4-11, 13-15, 19-26, 28-30, 34-41 and 43-45 are allowable for at least the same reasons that the base claims on which they rely are allowable, and notice to that effect is solicited.
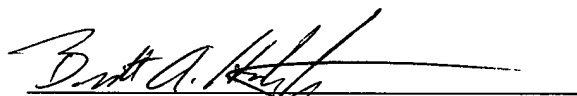
CONCLUSION

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

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